

PHILLIP A. TALBERT
United States Attorney
KIMBERLY A. SANCHEZ
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MANUEL YANES and
JORGE LUIS YANES,

Defendants.

CASE NO. 1:22-CR-00307-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

CURRENT DATE: October 4, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

STIPULATION

1. By previous order, this matter was set for status on October 4, 2023.
2. By this stipulation, defendants now move to vacate the status conference and set a trial date for September 10, 2024, and to exclude time between October 4, 2023, and September 10, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. While the parties anticipate that the case may resolve without a trial, this is not yet a certainty. The parties agree and stipulate, and request that the Court find the following:
 - a) The government asserts the discovery associated with this case includes reports, photographs, and recordings. Discovery has been provided to all counsel. Although this federal case was not the product of a wiretap investigation, the government has agreed to provide

1 discovery from a state wiretap investigation of these two defendants. The government is aware
2 of its ongoing discovery obligations.

3 b) Counsel for all defendants desire additional time to consult with their clients, to
4 review the current charges, to conduct investigation and research related to the charges, to review
5 and/or copy discovery for this matter, to discuss potential resolutions with their clients, to
6 prepare pretrial motions, and to otherwise prepare for trial.

7 c) Counsel for defendants believe that failure to grant the above-requested
8 continuance would deny them the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendants in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of October 4, 2023, to September 10,
16 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it
17 results from a continuance granted by the Court at defendants' request on the basis of the Court's
18 finding that the ends of justice served by taking such action outweigh the best interest of the
19 public and the defendant in a speedy trial.

20 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

DATED: September 26, 2023

PHILLIP A. TALBERT
United States Attorney

By: /s/ Kimberly A. Sanchez
KIMBERLY A. SANCHEZ
Assistant U.S. Attorney

DATED: September 26, 2023

By: /s/ Darryl Young
DARRYL YOUNG
Attorney for Defendant
MANUEL YANES

DATED: September 26, 2023

By: /s/ Galatea DeLapp
GALATEA DELAPP
Attorney for Defendant
JORGE LUIS YANES

ORDER

IT IS SO ORDERED.

DATED: 9/27/23

Sheila K. Oberto
HON. SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE